



PATENT
Attorney Docket No.: DIVER1280-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Short and Keller Art Unit: 1639
Application No.: 09/738,871 Examiner: J.D. Epperson
Filed: December 14, 2000 Confirmation No.: 9780
Title: HIGH THROUGHPUT SCREENING FOR A BIOACTIVITY OR
BIOMOLECULE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

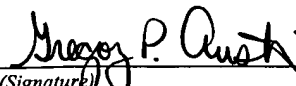
Sir:

The undersigned, attorney of record for Petitioner, DIVERSA CORPORATION, with its place of business at 4955 Directors Place, San Diego, California 92121, represents that Petitioner is the Assignee of 100 percent interest in Application Serial No. 09/738,871, filed December 14, 2000, entitled HIGH THROUGHPUT SCREENING FOR A BIOACTIVITY OR BIOMOLECULE as evidenced by an Assignment recorded on May 2, 2001 in the United States Patent and Trademark Office on Reel 011766, Frame 0530. The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

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CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service with sufficient postage as first class mail on this date, May 6, 2004, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Gregory P. Austin (Name of Person Mailing Paper)	
 (Signature)	May 6, 2004 (Date)

In re Application of:
Short and Keller
Application No.: 09/738,871
Filed: December 14, 2000
Page 2


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Attorney Docket No.: DIVER1280-6

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, DIVERSA CORPORATION, disclaims the terminal part of any patent granted on the subject matter of the above-identified U.S. Patent Application Serial No. 09/738,871, filed December 14, 2000, that would extend beyond the expiration date of U. S. Patent No. 6,174,673. Petitioner hereby agrees that any patent so granted on the above-identified U.S. Patent Application Serial No. 09/738,871 shall be enforceable only for and during such period that the legal title to the subject matter of said patent shall be the same as the legal title to U. S. Patent No. 6,174,673, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Enclosed is Check No. 558793 in the amount of \$55.00 for the Terminal Disclaimer fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: May 6, 2004



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